IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

:

GREGORY MILLS, on behalf of himself and all similarly situated individuals,

CIVIL ACTION NO. 1:12-cv-02914-AT

Plaintiff,

V.

ABOVENET COMMUNICATIONS, INC.,

Defendants.

ORDER APPROVING SETTLEMENT AND DISMISSING CASE

THIS MATTER is before the Court upon the parties' Amended Joint Motion to Approve Settlement Agreement [Doc. 17]. The Court having reviewed the Motion and being fully advised in the premises, it is hereby

ORDERED AND ADJUDGED as follows:

- 1. The Joint Motion to Approve Settlement Agreement is **GRANTED**.
- 2. The Court finds that the Settlement Agreement is the product of arm's length bargaining of qualified counsel and that the agreed-upon terms and conditions of settlement of this litigation arising under the Fair Labor Standards Act, as set forth in the Settlement Agreement and Release, are fair and reasonable under the circumstances. This settlement enables the parties to avoid recognized and real litigation risks posed by their respective positions. Accordingly, the Settlement

Agreement is hereby **APPROVED** and the terms of the Settlement Agreement

and Release are hereby **INCORPORATED** into this Order by reference.

3. This matter is hereby **DISMISSED** with prejudice, with costs and fees to be

paid pursuant to the terms of the Settlement Agreement, except that the Court

shall retain jurisdiction over this matter as necessary to enforce the terms of the

Settlement Agreement.

IT IS SO ORDERED this 17th day of April, 2013.

AMY TOTENBERG

UNITED STATES DISTRICT JUDGE